

ASSIGNED
13658

AMENDED

APPLICATION FOR PERMIT

Serial No.

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAR 14 1951
Returned to applicant for correction _____
Corrected application filed JUL 31 1951

The undersigned Fred Etchegaray, Pietrina Etchegaray and Leroy
of Eureka, County of Eureka,
State of Nevada, hereby make application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is an unnamed stream and
springs flowing in Grub Canyon in Sections 19, 28, 29 and 30 in Town-
ship 21 N., R. 48 E., M.D.B.&M.
Name of stream, lake, or other source
2. The amount of water applied for is 2.00 second-feet.
One second-foot equals 40 miners' inches
3. The water to be used for irrigation
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
NE $\frac{1}{4}$ SW $\frac{1}{4}$ section 8, T 20 N., R 49 E., MDM or at a point from which the one
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
quarter between sections 8 and 9, T 20 N., R 49 E., bears N 88° 45' 37" E.
3099.4 feet

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is 160 acres
- (b) Description of land to be irrigated N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8, SW $\frac{1}{4}$ Section 9
NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15 all in
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
T 20 N., R 49 E., MDM

- (c) Use will begin about March 15 and end about Sept. 1, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Place of use _____
Give location of place of use by legal subdivision
- (f) Point of return of water to stream _____
Describe in same manner as point of diversion
- (g) State number and kinds of animals to be watered _____
- (h) Use will begin about _____ and end about _____, of each year.
Month Month
- (i) Remarks _____

DESCRIPTION OF PROPOSED WORKS

Water is to be diverted by means of the natural stream channel of said stream to Cottonwood Creek and thence from said creek to Grub Flat. A ditch 2 feet deep and three feet wide will be constructed at the lower or southerly end of Cottonwood Creek to divert the waters to the land above described.

5. Estimated cost of works \$400.00
6. Estimated time required to construct works 8 months
7. Remarks Map in support of application will be filed later.
It is proposed to use this water in conjunction with water from Ferguson and Cottonwood creek and construct ditches therefrom.

Fred Etchegaray, Pietrina Etchegaray, Applicant.
and Leroy Etchegaray

By W. H. Settelmeyer
W. H. Settelmeyer, Agent

Compared *ad. EP*

This sheet inspected _____,
_____, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source, and further subject to that certain agreement dated November 5, 1951 between Pete Etcheverry, party of the first part, and Fred Etchegaray, Pietrina Etchegaray and Leroy Etchegaray, parties of the second part. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.6 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before June 15, 1952

Proof of commencement of work shall be filed before July 15, 1952

Work must be prosecuted with reasonable diligence and be completed on or before June 15, 1953

Proof of completion of work shall be filed before July 15, 1953

Application of water to beneficial use shall be made on or before June 15, 1954. Proof of the application of water to beneficial

use must be filed with State Engineer on or before July 15, 1954

map filed SEP 28 1951 under no. 13657

Proof of commencement of work filed OCT 17 1952

Proof of Completion of work filed JUN 10 1953

PROOF OF BENEFICIAL USE FILED SEP 5 1961

CULTURAL MAP FILED Sept 5 1961 under 13657

WITNESS MY HAND AND SEAL this 28th day of January 1952

CERTIFICATE No. 5311 ISSUED 5/7/62 for 1.6 cfs for

RECORDED 5/11/62 BK. B PAGE 254

Eureka COUNTY RECORDER

State Engineer